

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

_____)	
IN RE BANK OF AMERICA CORP.)	Master File No. 09 MDL 2058 (PKC)
SECURITIES, DERIVATIVE, AND)	
EMPLOYMENT RETIREMENT)	ECF ACTION
INCOME SECURITY ACT (ERISA))	
LITIGATION)	
_____)	
)	
This Document Relates To:)	
)	
All Derivative Actions)	
_____)	

**NOTICE OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF DERIVATIVE ACTION SETTLEMENT**

PLEASE TAKE NOTICE that upon the accompanying memoranda of law, declarations in support, the Stipulation and Agreement of Settlement and the exhibits attached thereto, all prior proceedings held in the Derivative Action, and other such matters and arguments as the Court may consider in the hearing of this Motion, Lead Plaintiffs Hollywood Police Officers' Retirement System and Louisiana Municipal Police Employees Retirement System, by and through undersigned Lead Counsel, will move this Court, before the Honorable Judge P. Kevin Castel, at the Daniel Patrick Moynihan United States Courthouse located at 500 Pearl Street, New York, New York on January 11, 2013 at 11:30 a.m., Eastern Time, for an Order approving

the proposed Settlement of the Derivative Action as fair, reasonable and adequate and entering the Order and Final Judgment dismissing the Derivative Action with prejudice. A proposed final order is attached as an exhibit hereto.

Dated: November 6, 2012

Respectfully submitted,

KAHN SWICK & FOTI, LLC

/s/ Albert M. Myers

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 6, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing to all registered users.

/s/ Albert M. Myers
Albert M. Myers